

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair David Howard, on January 19, 2011 at 3:00 PM, in Room 152
Capitol

ROLL CALL

Members Present:

Rep. David Howard, Chair (R)
Rep. Pat Noonan, Vice Chair (D)
Rep. Cary Smith, Vice Chair (R)
Rep. Liz Bangerter (R)
Rep. Steve Fitzpatrick (R)
Rep. Timothy Furey (D)
Rep. Ellie Boldman Hill (D)
Rep. Chuck Hunter (D)
Rep. Pat Ingraham (R)
Rep. Dan Kennedy (R)
Rep. Michael (Mike) More (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Joe Read (R)
Rep. Dan Skattum (R)
Rep. Max Yates (R)

Members Excused: None

Members Absent: None

Staff Present: Miranda Keaster, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 35, 1/13/2011, HB 185, 1/13/2011
Executive Action: HB 36, HB 129, HB 191

00:00:52 Chairman Howard

[EXHIBIT\(huh14a01\)](#)

HEARING ON HB 185

Opening Statement by Sponsor:

00:01:22 Rep. Tom Berry (R), HD 45, opened the hearing on HB 185, Ban synthetic marijuana.

Proponents' Testimony:

00:03:07 Mark Long, Chief Montana Narcotics Bureau Division of Criminal Investigation

00:09:33 Mike Batista, Department of Justice

00:12:31 Erin MacLean, Montana Medical Association

00:14:52 Kelly Spear, Facilities Bureau Chief of the Department of Corrections

00:16:29 Mark Murphy, Montana County Attorney Association and Montana Police Association

00:17:12 Aimee Grmoljez, Billings Clinic

00:17:50 Don Judge, Montana Nurses Association

00:19:42 Mike Foster, Catholic Hospitals of Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:28 Rep. Noonan

00:20:50 Mark Long

00:21:27 Rep. Furey

00:22:09 Mark Long

00:22:25 Chairman Howard

00:22:40 Erin MacLean

00:23:31 Rep. Furey

00:24:15 Rep. Berry

Closing by Sponsor:

00:24:59 Rep. Berry

HEARING ON HB 35

Opening Statement by Sponsor:

00:26:30 Rep. Trudi Schmidt (D), HD 22, opened the hearing on HB 35, Eliminate DPHHS reduction of Medicaid physician reimbursement rate.

Proponents' Testimony:

00:29:11 Mike Foster, Catholic Hospitals of Montana

00:30:48 Erin MacLean, Montana Medical Association

EXHIBIT(huh14a02)

00:36:57 Aimee Grmoljez, Billings Clinic

00:37:52 Jon Metropoulos, AWARE, Inc.

00:40:17 Mike Foster, Catholic Hospitals of Montana

00:40:47 Don Judge, Montana Nurses Association

Opponents' Testimony:

00:41:20 Anna Whiting Sorrell, Department of Public Health and Human Services (DPHHS) Director

00:47:08 Ann Brodsky, Governor Sweitzer's Budget Chief Counsel

00:52:05 Bernie Jacobs, DPHHS Chief Counsel

Informational Testimony: None

Questions from Committee Members and Responses:

00:57:34 Rep. Hunter

00:58:08 Ann Brodsky

00:59:00 Rep. Hunter

00:59:06 Ann Brodsky

00:59:47 Rep. Hunter

01:00:11 Ann Brodsky

01:00:20 Rep. Hunter

01:00:40 Ann Brodsky

01:00:59 Rep. Hunter

01:01:34 Ann Brodsky

01:01:49 Rep. Hunter

01:02:16 Ann Brodsky

01:03:05 Rep. Hunter

01:03:34 Ann Whiting Sorrell, DPHHS
01:03:55 Rep. Hunter
01:04:05 Rep. Kennedy
01:05:08 Bernie Jacobs, DPHHS Chief Counsel
01:05:25 Rep. Kennedy
01:05:37 Bernie Jacobs, DPHHS Chief Counsel
01:06:02 Rep. More
01:07:07 Mike Foster, Catholic Hospitals of Montana

Closing by Sponsor:

01:09:48 Rep. Schmidt

01:10:25 Recess
01:18:00 Reconvene

EXECUTIVE ACTION ON HB 36

01:20:26 **Motion:** Rep. C. Smith moved that **HB 36 DO PASS.**

Discussion:

01:20:45 Chairman Howard
01:20:54 Rep. Fitzpatrick
01:23:39 Rep. Hill
01:24:39 Rep. Smith
01:24:57 Rep. Skattum
01:26:18 **Vote:** Motion carried 8-7 by roll call vote with Rep. Bangerter, Rep. Fitzpatrick, Rep. Howard, Rep. Kennedy, Rep. Read, Rep. Skattum and Rep. Smith voting no. Rep. Ingraham voted by proxy.

EXECUTIVE ACTION ON HB 129

01:26:28 Sen. Ingraham entered.
01:26:48 **Motion:** Rep. C. Smith moved that **HB 129 DO PASS.**

Discussion:

01:27:01 **Motion:** Rep. Noonan moved that **HB 129 BE AMENDED.**

EXHIBIT(huh14a03)

Discussion on Amendment:

01:28:22 Chairman Howard
01:28:31 Rep. Bangerter
01:29:08 Rep. Noonan
01:29:31 Rep. Smith
01:30:09 Rep. Hunter
01:31:13 Chairman Howard
01:31:32 Rep. Hunter
01:31:39 Rep. Kennedy
01:32:01 Rep. Noonan
01:32:38 Chairman Howard
01:32:48 Rep. Skattum
01:34:00 **Vote:** Motion failed 5-10 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting aye.

Discussion on Bill:

01:34:08 Rep. Bangerter
01:34:41 Chairman Howard
01:35:02 Rep. Hunter
01:35:20 Chairman Howard
01:35:41 Rep. Hunter
01:36:45 **Vote:** Motion failed 6-9 by roll call vote with Rep. Fitzpatrick, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting aye.
01:36:54 **Motion:** Rep. C. Smith moved that **HB 129 BE TABLED AND THE VOTE REVERSED.**

Discussion on Motion:

01:37:18 Rep. Furey
01:37:54 Sue O'Connell, Legislative Service Division
01:38:16 Chairman Howard
01:39:27 **Vote:** Motion carried 9-6 by roll call vote with Rep. Fitzpatrick, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no.

EXECUTIVE ACTION ON HB 191

01:39:47 **Motion:** Rep. C. Smith moved that **HB 191 DO PASS.**

Discussion:

01:40:17 **Motion:** Rep. More moved that **HB 191 BE AMENDED.**

EXHIBIT(huh14a04)

Discussion on Amendment:

01:41:20 Rep. Furey

01:42:39 Chairman Howard

01:43:00 Rep. More

01:44:05 Rep. Furey

01:44:28 Rep. More

01:45:11 Rep. Hunter

01:45:35 Rep. Skattum

01:45:54 Rep. More

01:46:09 Rep. Smith

01:46:51 Chairman Howard

01:47:57 **Vote:** Motion carried 14-1 by roll call vote with Rep. Noonan voting no.

Discussion on Bill:

01:48:16 Sue O'Connell, LSD

01:48:50 Chairman Howard

01:49:10 Rep. Ingraham

01:49:18 Rep. More

01:49:26 Chairman Howard

01:49:48 Rep. More

01:51:36 **Motion/Vote:** Rep. More moved that **HB 191 DO PASS AS AMENDED.** Motion carried 13-2 by roll call vote with Rep. Noonan and Rep. Read voting no.

01:52:12 Sue O'Connell, LSD

01:53:01 Chairman Howard

01:53:30 Rep. Ingraham

01:53:44 Rep. Noonan

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ADJOURNMENT

Adjournment: 01:53:56

Miranda Keaster, Secretary

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Additional Documents:

EXHIBIT([huh14aad.pdf](#))